

Order under Act X of 1876 (*Revenue Jurisdiction*).

CERTAIN PORTION OF SECTION 4 OF THE ACT BROUGHT INTO FORCE.

G. of I. Notn., Home, Revenue and Agriculture Dep'ts., No. 197, dated 18th March 1881, republished in Govt. Notn. No. 1702, Revenue, dated 23rd March 1881, B. G. G., 1881, Pt. I, p. 157.

In exercise of the power conferred by the Bombay Revenue Jurisdiction Act X of 1876, Section I, the Governor General in Council is pleased to direct that so much of Section 4 of that enactment as relates to claims to set aside, on the ground of irregularity, mistake or any other ground except fraud, sales for arrears of land revenue shall come into force after six months from the date of this notification.

Rules and Orders under Act XVII of 1879.
(*Dekkhan Agriculturists' Relief.*)

EXTENDING THE PROVISIONS OF CHAPTER III AND OF SECTIONS 2, 7
AND 71-A OF THE ACT TO THE PROVINCE OF SIND.

*Notn. No. 1663, Judicial, dated 13th March 1901, B. G. G.,
1901, Pt. I, p. 490.*

In exercise of the power conferred by Section 1 of the Deccan Agriculturists' Relief Act, XVII of 1879, as modified by Act VI of 1895, and with the previous sanction of the Governor General in Council, the Governor of Bombay in Council is pleased to extend the provisions of Chapter [III and of Sections 2, 7 and 71-A of the said Act to the Province of Sind.

EXTENDING THE PROVISIONS OF SECTIONS 2 AND 20 OF THE ACT
TO THE KHANDESH DISTRICT.

*Notn. No. 3154, Judicial, dated 14th May 1902, B. G. G.,
1902, Pt. I, p. 776.*

In exercise of the powers conferred by Section 1 of the Dekkhan Agriculturists' Relief Act, 1879 (XVII of 1879), and with the previous sanction of the Governor General in Council, the Governor of Bombay in Council is pleased to extend the provisions of Sections 2 and 20 of the said Act to the Khândesh District.

EXTENDING THE PROVISIONS OF SECTIONS 2 AND 20 OF THE ACT TO ALL PARTS
OF THE PRESIDENCY OF BOMBAY (EXCEPT ADEN) IN WHICH THOSE
SECTIONS ARE NOT ALREADY IN FORCE.

*Notn. No. 278, Judicial, dated 21st January 1903, B. G. G.,
1903, Pt. I, p. 89.*

In exercise of the powers conferred by Section 1 of the Dekkhan Agriculturists' Relief Act, 1879 (XVII of 1879), and with the previous sanction of the Governor-General in Council, the Governor of Bombay in Council is

pleased to extend the provisions of Sections 2 and 20 of the said Act to all parts of the Presidency of Bombay (except Aden) in which those sections are not already in force.

EXTENDING THE PROVISIONS OF CHAPTERS V AND VI AND CHAPTER VII (SO FAR AS IT RELATES TO THE PROCEEDINGS OF THE VILLAGE MUNSIFS AND CONCILIATORS) OF THE ACT TO THE DISTRICT OF KHANDESH.

Notn. No. 620, Judicial, dated 3rd February 1903, B. G. G., 1903, Pt. I, p. 144.

In exercise of the power conferred by Section 1 of the Dekkhan Agriculturists' Relief Act, 1879 (XVII of 1879), and with the previous sanction of the Governor General in Council, the Governor of Bombay in Council is pleased to extend the following portions of that Act to the district of Khandesh, namely:—

Chapters V and VI and Chapter VII so far as it relates to the proceedings of the Village Munsifs and Conciliators.

EXTENDING SECTIONS 7, 11—21, 23, CHAPTER V, CHAPTER VI, CHAPTER VII AND SECTION 71-A TO ALL DISTRICTS IN THE BOMBAY PRESIDENCY (EXCLUDING ADEN AND THE CITY OF BOMBAY).

Notn. No. 4144, Judicial, dated 15th August 1905, B. G. G., 1905, Pt. I, p. 1038.

In exercise of the powers conferred by Section 1 of the Dekkhan Agriculturists' Relief Act, 1879 (XVII of 1879), and with the previous sanction of the Governor General in Council, the Governor in Council is pleased to extend section 7, sections 11 to 21 (both inclusive), section 23, Chapter V, Chapter VI, Chapter VII and section 71-A of the said Act to all districts of the Bombay Presidency excluding those to which they are already extended and excluding Aden and the City of Bombay.

EXTENDING SECTION 2-A OF THE ACT TO ALL PARTS OF THE PRESIDENCY OF BOMBAY (EXCEPT ADEN AND THE CITY OF BOMBAY) IN WHICH THE SECTION IS NOT ALREADY IN FORCE.

Notn. No. 4774, Judicial, dated 20th August 1907, B. G. G., 1907, Pt. I, p. 1406.

In exercise of the powers conferred by section 1 of the Dekkhan Agriculturists' Relief Act, 1879, and with the previous sanction of the Governor General in Council, the Governor in Council is pleased to extend the provisions of section 2-A of the said Act to all parts of the Presidency of Bombay (except Aden and the City of Bombay) in which that section is not already in force.

EXTENDING SECTIONS 6, 22-A, 68 AND 69 OF THE ACT TO ALL PARTS OF THE BOMBAY PRESIDENCY (EXCEPT ADEN AND THE CITY OF BOMBAY) IN WHICH THEY ARE NOT ALREADY IN FORCE AND SECTIONS 6, 22-A AND 69 TO THE PROVINCE OF SIND.

Notn. No. 275, Judicial, dated 14th January 1909, B. G. G., 1909, Pt. I, p. 106.

In exercise of the powers conferred by Section 1 of the Dekkhan Agriculturists' Relief Act, 1879, and with the previous sanction of the Governor General in Council, the Governor in Council is pleased to extend—

(a) the provisions of Sections 6, 22-A, 68 and 69 of the said Act to all parts of the Bombay Presidency (except Aden and the City of Bombay) in which those sections are not already in force; and

(b) the provisions of Sections 6, 22-A and 69 to the Province of Sind.

DESCRIPTION OF THE SUITS TO BE HEARD BY THE
SUBORDINATE JUDGE OF POONA.

Notn. No. 7057, Judicial, dated 22nd November 1879, B. G. G., 1879, Pt. I, p. 934.

His Excellency the Governor in Council is hereby pleased to direct, in exercise of the power conferred by Section 6 of the Dekkhan Agriculturists' Relief Act, 1879, that any suit of the descriptions mentioned in Section 3, clauses (w) and (x) of the said Act, which the Subordinate Judge of Poona would be precluded from hearing by Section 12 of Act XI of 1865,⁽¹⁾ shall, if the defendant or any one of the defendants, not being merely a surety of the principal debtor, is an agriculturist, be heard and determined by him and not otherwise.

DESCRIPTION OF SUITS TO BE HEARD BY THE SUBORDINATE JUDGES OF
HYDERABAD, SHIKÁRPUR, HÁLA AND LÁRKHÁNA.

Notn. No. 1664, Judicial, dated 13th March 1901, B. G. G., 1901, Pt. I, p. 490.

In exercise of the power conferred by Section 6 of the Dekkhan Agriculturists' Relief Act, 1879, the Governor in Council is hereby pleased to direct that any suits of the descriptions mentioned in clauses (w) and (x) of Section 3 of the said Act which the Subordinate Judges of Hyderabad, Shikárpur, Hála and Lárkhána, respectively, would ordinarily hear as Courts of Small Causes under the jurisdiction in that behalf conferred on them under Section 28 of the Bombay Civil Courts Act, 1869, shall, notwithstanding the provisions of Section 16 of the Provincial Small Cause Courts Act, 1887, be heard and determined by them in the exercise of their ordinary jurisdiction, as suits which are not cognizable by a Court of Small Causes, and not otherwise.

(1) Now Act IX of 1837.

RULES FOR THE MANAGEMENT BY THE COLLECTOR OF IMMOVEABLE PROPERTY OF WHICH HE TAKES POSSESSION UNDER SECTION 22 OR 29 OF THE ACT, AND FOR CARRYING OUT THE PROVISIONS OF THE ACT IN RESPECT OF SUCH PROPERTY.

Notn. No. 892, Judicial, dated 4th February 1885, B. G. G., 1885, Pt. I, p. 176.

In exercise of the powers conferred by Sections 29 and 75 of the Dekkhan Agriculturists' Relief Act, 1879, the Governor in Council is pleased to make the following rules for the management by the Collector of immoveable property of which he takes possession under Section 22 or Section 29 of that Act, and generally for carrying out the provisions of that Act in respect of such property:—

1. When a Court directs the Collector to take possession of any immoveable property of a judgment-debtor or insolvent, it shall transmit with its order copies of all documents, orders or proceedings which it may think necessary to make the Collector aware of essential facts concerning the position of the judgment-debtor or insolvent, and the nature and extent of the property to be managed by him.

It shall also at any time furnish the Collector with copies of any documents, orders, or proceedings other than those transmitted which the Collector for the purpose aforesaid desires to see.

2. The aforesaid copies shall be prepared and sent to the Collector free of all costs to the parties, being made by the Court's establishment.

3. On receipt of the Court's order, the Collector may either himself proceed to execute it, or may refer it, for disposal, subject to his supervision and control, to any of his subordinates not lower in rank than a Mahalkari.

4. The Collector or other officer, to whom he so refers the Court's order, shall appoint a day for hearing any representations which the parties may desire to make, and shall cause a written notice to be served on each of them of the day so fixed.

On the appointed day, or as soon thereafter as may be, the Collector or other officer aforesaid shall, after such inquiry as he deems fit, determine whether any portion of the property to which the Court's order relates is required for the support of the judgment-debtor or of the insolvent, and the support of the members of his family dependent upon him.

The decision of any officer other than the Collector under this rule shall be subject to confirmation by the Collector

5. Possession of the property, or of so much of it as is not, in the opinion of the Collector, required for the support of the persons aforesaid, shall then be taken by the Collector, or by the officer aforesaid on behalf of the Collector, and the fact of possession having been so taken shall be published by written notice to the parties, and by proclamation on or near the property in such manner as the Collector or other officer aforesaid deems suitable.

6. If the fact of the judgment-debtor or insolvent being entitled to possession be disputed, or if any objection be raised to the Collector's taking possession of the property or of any portion of it, the Collector shall refer the

parties concerned to the Court, and pending such reference shall stay proceedings in respect of so much of the property as is in dispute.

7. If after possession of the property has been taken under Rule 6, any order in writing is made by the Collector under Section 73A of the Act, directing that any other immoveable property not so taken shall be deemed to be reserved for the support of the judgment-debtor or insolvent, and the members of his family dependent on him, such order shall be published in the same manner as the fact of possession having been taken.

8. The Collector, or other officer aforesaid, may from time to time require by written notice the attendance of the parties in order to ascertain their wishes, or to obtain information which he may consider necessary to enable him to provide satisfactorily for the execution of the Court's order; and if any party fail to attend in pursuance of such notice, the Collector or other officer aforesaid may decide the matter in his absence, and he shall not be entitled to be heard afterwards with respect thereto.

9. If the property of which possession has been taken by or on behalf of the Collector is in the occupation of a tenant paying rent for a share of the produce to the judgment-debtor or insolvent, the Collector or other officer aforesaid shall issue a written notice to such tenant, requiring him to pay the rent or share to him for so long as his tenure subsists.

If there be no tenant in possession, or on the expiration of the tenure if the land is in the occupation of a tenant, the Collector or other officer aforesaid may let, for a term not exceeding the seven years to which his management extends, with or without payment of a premium, the whole or any part of the said property to the highest bidder; or may let on farm or manage by himself or another, the whole or any part of such property, or may adopt partly one of such modes and partly another or others of such modes as he may deem most convenient and profitable.

The person to whom the Collector or other officer aforesaid lets the property or through whom he manages it, may be the judgment-debtor or insolvent or any person who holds a decree against the judgment-debtor or insolvent, or a third party as may appear most convenient and beneficial to the parties.

10. The Collector shall from time to time render to the Court an account of all monies which come to his hands or to the hands of the officer aforesaid, and of all charges incurred in respect of the property in his management, and shall hold the balance at the disposal of the Court.

Such charges shall include all debts and liabilities from time to time due to the Government in respect of the property, or any part thereof, and the rent, if any, from time to time due to a superior holder in respect of such property or part.

11. Where the management is at an end and all monies which have come into the Collector's hands have been disposed of, he shall retransmit the papers received by him under Rule 1, together with the proceedings connected with the management of the property, to the Court by post or in such manner as may be most convenient.

12. Every notice issued by the Collector or other officer aforesaid under these rules may be served in the manner prescribed by Section 191 of the

Bombay Land Revenue Code, or if the person to be served is a party to the proceedings in the Court and has a pleader, by forwarding a copy thereof to the Court to be served upon the pleader.

RULES FOR REGULATING THE PROCEDURE OF VILLAGE MUNSIFS.

Notn. No. 7635, Judicial, dated 17th December 1879, B. G. G., 1879, Pt. I, p. 1001.

In exercise of the power conferred by Section 37 of the Dekkhan Agriculturists' Relief Act, 1879, the Governor in Council is pleased to prescribe the following rules for regulating the procedure of Village Munsifs:—

1. Every suit in a Village Munsif's Court shall be instituted by presenting to the Village Munsif in person a written plaint in the vernacular language of the district, which should contain the following particulars—

(1) The name, religion, caste, profession and place of abode of the plaintiff.

(2) The name, religion, caste, profession and place of abode of the defendant.

(3) A statement of the circumstances which have led to the institution of the suit.

(4) A list of the plaintiff's documents, if any, and of his witnesses, and whether he requires the Village Munsif's assistance to procure their attendance, or whether he will produce them himself, on the day to be appointed under Rule 5.

2. If the plaintiff sues upon a document in his possession or power, he must produce it with his plaint.

3. The Village Munsif shall reject the plaint at once in the following cases:—

(1) If it appears to the Village Munsif that the subject of the plaint is not within his jurisdiction.

(2) If it appears to him after questioning the plaintiff that the suit is barred by the limitation law.

4. If the Village Munsif admits the plaint he shall number and register it in a Register to be kept for the purpose in the following form:—

Date of presentation.	No. of Suit.	Plaintiff's name, caste and residence.	Defendant's name, caste and residence.	Nature of claim.	Final order and date thereof.	How executed.
1	2	3	4	5	6	7

5. When he admits a plaint, he shall fix a convenient day, if possible within 7 days from its institution, for the trial of the suit, and he shall require the plaintiff to appear with his documents and witnesses, if any, on the day so appointed. He shall also forthwith, with the least practicable delay, send for the defendant and personally explain to him the nature of the claim, informing him of the day fixed for the trial and requiring him to be present in person on that day, unless the defendant admits the correctness of the claim and his own liability, in which case the Village Munsif shall record the admission in full and require the defendant to sign or put his mark to the same, and shall also sign it himself.

6. If the defendant does not admit the claim, the Village Munsif shall require him to name his witnesses, if any, and to state whether he will himself produce them or requires the assistance of the Court to procure their attendance, and shall warn him to be present in person with his documents and witnesses, if any, upon the appointed day.

7. Whenever it is necessary to procure the attendance of any defendant or witness, the Village Munsif may require the village officers to produce such person before him; and it shall be the duty of the village officers to obey the requisition of the Village Munsif.

[^a] Any Village Munsif specially authorized in this behalf by the District or Special Judge may, in cases where other means fail, exercise the powers of a Civil Court for the purpose of enforcing the attendance of defendants and witnesses[^a].

8. On the day appointed for the trial, unless the defendant has previously admitted the claim under Rule 5, in which case he may at once pass a final order, the Village Munsif shall first of all examine the parties, or the persons, if any, permitted to appear for them under Section 68 of the Act, and shall peruse the documents, if any, produced on either side, in order to ascertain the point or points in issue and whether the defendant has any just answer or defence to the suit; and shall then, if necessary, examine the witnesses on either side; and may also send for and examine any other person who may appear to him likely to be able to give useful evidence as to the matters in dispute; and shall then proceed, at once, if possible, to record his final order in accordance with the just merits of the case.

9. If the plaintiff fails without reasonable excuse to attend with his proofs or omits without reasonable excuse to adopt measures to procure the attendance of his witnesses, the Village Munsif shall reject the plaint.

10. If the defendant fails to appear, the Village Munsif shall adjourn the trial to an early day to be fixed by him, and shall meantime take all the measures in his power, with the assistance of the village officers, to procure the attendance of the defendant on such adjourned date: he shall not decide the suit without examining the defendant unless for special reasons to be recorded by him in writing in his final order.

[a-a] This para. was sub-tituted for the second para. of Rule 7 (added by Government Notification No. 5585, Judicial, dated 13th August 1880, *B. G. G.*, 1880, Pt. I, p. 708), by Government Notification No. 4431, Judicial, dated 14th August 1903, *B. G. G.*, 1903, Pt. I, p. 1009.

11. If the witnesses on either side or any of them fail to attend on the appointed day, the Village Munsif may, after taking the evidence of those that are present if he considers it necessary for the purposes of justice and for arriving at a satisfactory decision, adjourn the trial for such period as may be necessary to procure their attendance.

12. The Village Munsif shall examine the parties and their witnesses, if any, orally, and it shall not be necessary for him to take down their evidence in writing or make notes thereof; but if he does not do so, he shall embody in his final order the substance of the evidence, together with the points in dispute, and his decision thereon, specifying the amount, if any, awarded to the plaintiff. Such final order shall be deemed to be the decree.

13. If his decision is in favour of the plaintiff, either wholly or in part, he may direct the defendant to pay the amount found due by instalments not extending over a longer period than twelve months.

14. In no case shall he award more than seems to him on a full consideration of all the circumstances and past history of the debt to be justly and equitably due.

15. The final order shall be written in column 6 of the Register mentioned in Rule 4; and the Village Munsif shall give a copy thereof, under his signature, to either party asking for the same.

16. Every order, whether rejecting a claim or allowing or disallowing a claim, shall be endorsed briefly by the Village Munsif on the plaint.

17. If the decision awards the plaintiff's claim in whole or part, the defendant may pay the money due by him under the decree into the Village Munsif's Court and in such case shall be given a receipt for the same: and it shall be the duty of the Village Munsif to cause such money to be paid over to the plaintiff and to require his receipt for the same, and to enter the fact of such payment in the last column of the Register.

18. If the decree is satisfied in whole or in part out of Court, it shall be the duty of the plaintiff to certify the fact to the Village Munsif, and when he fails to do so, the defendant may apply to the Village Munsif, who shall then make enquiries; and if he finds it proved that the decree has been so satisfied shall refuse to execute it further. The necessary entry to denote satisfaction under this Rule shall be made in the Register.

19. The decree-holder may, at any time within the period allowed by the limitation law, apply to the Village Munsif for execution of his decree or such portion of it as may remain unsatisfied; such application must be in writing and must state that the decree of which execution is sought has remained unsatisfied in whole or in part, as the case may be.

20. In the case of a decree which allows payment by instalments, any default by the judgment-debtor entitles the decree-holder to apply for execution.

[^b]20 A. If the Village Munsif receives such an application as is mentioned in Rules 19 and 20 from a decree-holder, he shall number and register it in a Register to be kept for the purpose in the following form:—

[b-b] This additional rule was inserted by Government Notification No. 6545-A, Judicial dated 30th September 1898, B. G. G., 1898, Pt. I, p. 894.

*Register of applications for execution of decrees in the Court of the Village
Munsif of _____ in the _____ Taluka of the _____ District
during the year.*

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Serial number.	Date on which the application for execution was presented.	Names of the parties and the number of the suit.	Name of the party or other person presenting the application for execution, caste, age, occupation and residence.	Name of the person or persons against whom execution is sought, caste, age, occupation and residence.	Date of the decree.	Amount awarded in the decree.	Payment made through Court or privately after decree.	Amount claimed in the present application for execution.	Date on which the warrant of attachment was sent to the Nazir or village officer for execution.	Date fixed for the return of the warrant.	Amount realized, if any.	Result of execution in short.	Remarks.
5 of 1898.	10th July 1898.	No. 76 of 1897. A. B. vs. C. D.	Plaintiff A. B.; Márvádi; 35; trader; Bihugát.	Defendant C. D.; Marátha; 35; weaver; Bihugát.	10th December 1897.	Rs. 8-4-3.	None.	Rs. 2-4-3.	12th July 1898.	20th July 1898.	Rs. 1-4-3.	The Court's warrant was executed on 17th July 1898.	(b)

21. On application as aforesaid by the decree-holder the Village Munsif may, after making such inquiry as he deems necessary, cause the decree to be executed by the attachment and sale of any moveable property within the local area of his jurisdiction belonging to and in the possession of the judgment-debtor, except such property as is mentioned in the proviso to Section 266 of the Civil Procedure Code. Attachment shall be effected by actual seizure, and the property so attached shall be kept in safe custody in or near the village cháudi. Provided that no more property shall be attached under this rule than shall seem to the Village Munsif reasonably sufficient at a fair valuation to cover the amount of the decree remaining unsatisfied.

[a] The Village Munsif may also, if he thinks fit, [c] but subject to the provisions of clause (d) of the proviso to Section 266 of the Code of Civil Procedure [e] cause the decree to be executed by attachment of [a] the whole or part [d] of the salary of the judgment-debtor if he be in the receipt of a salary. In such case the attachment shall be made by a written order addressed to the officer or person who disburses the salary requiring him to withhold every month such portion as the Village Munsif may direct, and to

[b-n] This additional rule was inserted by Government Notification No. 6645-A, Judicial, dated 30th September 1898, B. G. G., 1898, Pt. I, p. 894.

[a-a] This paragraph was added to Rule 21 by Government Notification No. 5585, Judicial, dated 13th August 1880, B. G. G., 1880, Pt. I, p. 708.

[c-c] These words were inserted by Government Notification No. 3634, Judicial, dated 3rd July 1903, B. G. G., 1903, Pt. I, p. 559.

[d-d] The words "the whole or part" were substituted for the original words "a portion not exceeding a moiety" by Government Notification No. 3634, Judicial, dated 3rd July 1903, B. G. G., 1903, Pt. I, p. 859.

pay the same to the judgment-creditor. Such order may be issued by the Village Munsif, whether the officer or person who disburses the salary is resident and the salary is payable within his local jurisdiction or not.^[a]

[^c] 21-A. Any decree passed by a Village Munsif may, on the application of the decree-holder, be forwarded to the District Judge or Special Judge, as the case may be, who may transmit it for execution to the Court of any Village Munsif or any other Civil Court having jurisdiction in any place where the judgment-debtor is represented to have moveable property; and such Court shall, subject to the provisions of Rule 21, proceed as if the decree was passed by itself.^[c]

22. All claims to attached property shall be inquired into without delay and summarily determined by the Village Munsif after hearing such evidence as may be tendered by the claimant and the decree-holder respectively, and after examining, if necessary, the judgment-debtor.

23. If the attached property is subject to speedy and natural decay or when the expense of keeping it in custody shall exceed its value, it may be sold at once by order of the Village Munsif.

24. In all other cases if the judgment-debtor does not tender the amount of the decree within three days from the date of attachment, the Village Munsif shall issue a notice of the sale of the property, to be posted up in a conspicuous place in the chaudi where the property is kept, specifying the property to be sold, the amount for which the sale is ordered, and the day and hour of sale.

25. Except in the case mentioned in Rule 22 no sale shall take place till after the expiration of at least ten days from the date on which the notice has been posted up on the chaudi.

26. If the Village Munsif is himself an officiating patel and if the property is within the limits of his jurisdiction as such, he shall himself order and superintend the attachment and the conduct of the sale. In any other case the Village Munsif shall direct his orders for the attachment and sale to an officiating Patel in whose jurisdiction as such the property is, and it shall be the duty of such Patel to carry out the execution under the orders of the Village Munsif.

[^b] In towns which are the head-quarters of a Civil Court, the Village Munsif may, when so authorized by the District or Special Judge, direct his orders to the Nazir of such Court, whose duty it will be to execute such orders accordingly [^b].

27. The officer conducting the sale may in his discretion for sufficient reason adjourn the sale, reporting the fact to the Village Munsif, who may pass such orders as may seem just as to the renewal of the sale.

28. The proceeds of the sale shall be made over by the Village Munsif to the decree-holder to the extent necessary to satisfy his decree, any surplus

[^{a-a}] This paragraph was added to Rule 21 by Government Notification No. 5585, Judicial, dated 15th August 1880, *B. G. G.*, 1880, Pt. I, p. 708.

[^{b-b}] This paragraph was added to Rule 26 by Government Notification No. 5585, Judicial, dated 13th August 1880, *B. G. G.*, 1880, Pt. I, p. 708.

[^{c-c}] This new rule was added by Government Notification No. 3634, Judicial, dated 3rd July 1903, *B. G. G.*, 1903, Pt. I, p. 859.

being handed over to the judgment-debtor. Receipts shall be taken for any payment made under this rule: and the necessary entry as to satisfaction shall be made in the Register.

29. The Village Munsif shall be entitled to employ the agency of the inferior village servants for carrying out his orders in any suit or execution matter pending before him under the Act: and it shall be the duty of the Revenue and Police Patels and Kulkarnis throughout the local area of his jurisdiction to render him all the assistance in their power in connection with the discharge of his duties under the Act.

30. No costs shall be awarded by any Village Munsif.

31. The Village Munsif shall be entitled to hold his Court in the village chaudi.

TABLE OF CHARGES TO BE MADE BY CONCILIATORS AND RULES AS TO THE
RECORD AND ACCOUNTS TO BE KEPT BY THEM.

*Notn. No. 7536, Judicial, dated 17th December 1879, B. G. G., 1879,
Pt. I, p. 999.*

In exercise of the power conferred by Section 49 of the Dekkhan Agriculturists' Relief Act, 1879, the Governor in Council is pleased to fix the following Table of Charges to be made by Conciliators and to prescribe the following Rules as to the record and accounts to be kept by them:—

A.—Table of Charges.

- | | |
|--|---|
| (1) For forwarding an agreement under Section 44 to the Court. | { One-half per cent. of the amount or value of the subject-matter of the agreement. |
| (2) For ditto ditto under Section 45. | { One-half per cent. of the amount or value of the subject-matter of the agreement; provided that the charge shall be in no case less than four annas or more than Rs. 5. |
| (3) For granting a certificate under Section 46. | { Four annas. |

The above charges shall not be payable in cash but in court-fee labels which shall be affixed to the documents in respect of which the charges are respectively payable.

If the percentage calculated according to item No. 1 or 2 of the foregoing table amounts to a sum which cannot be exactly represented by court-fee labels of procurable values, the charge shall be enhanced to the nearest amount which can be so represented.

B.—Every Conciliator appointed under the said Act shall keep a General Register in the following form :—

1	2	3	4	5	6	7	8	9	10	11	12	13
Serial Number.	Date of application.	Name, caste, residence and occupation of applicant.	Name, caste, residence and occupation of the person against whom the application is made.	Concise statement of the case.	Date and place fixed for parties to appear.	Date of actual appearance.	Result of the endeavour for reconciliation.	Date of forwarding agreement or reference to arbitration to Civil Court.	To what Court forwarded.	Date of certificate, if any, under Section 46 and to whom granted.	Remarks.	Signature of Conciliator.
							C					

Explanations.

(1) When an application is made to a Conciliator he should immediately fill in the first five columns, giving each application a serial number in the order of its presentation; the concise statement of the case required to be taken down in writing by Section 40 of the Act should be written in the fifth column.

(2) If all the parties to a dispute apply jointly at the same time to a Conciliator, their names should be entered in column 3 as joint applicants, and columns 4, 6 and 7 need not be filled up.

(3) In the 6th column the adjourned date or dates, if any, should also be shown below the date first fixed, and an entry should be made in the same column showing the mode adopted for securing the presence of the opposite parties, whether by summons, message, personal oral communication, or as the case may be.

(4) If the opposite party fails to appear on the date first fixed or within the time, if any, subsequently extended, this fact should be noted in column 7.

(5) In column 8 if an agreement finally disposing of the matter is arrived at, an abstract of such agreement should be given, or if a reference to arbitration is agreed to, the name of the arbitrator should be entered, or if the endeavour to bring about an amicable settlement fails, the fact should be recorded.

(6) The date of the certificate, if any, granted under Section 46 should be particularly noted in column 11.

(7) If cross-applications in the same matter are made at different times, the fact should be noted by a cross-reference in the column of remarks. Any fact connected with the application or dispute which the Conciliator thinks it worth while or important to record may be noted in this column.

(8) The Conciliator should attach his signature in the last column, when the application is finally disposed of by him.

C.—Every Conciliator shall also keep an account of all fees received by him in the following form :—

1	2	3	4	5	6	7			
Date.	No. of application as per General Register.	Amount or value of the subject-matter.	Fee from whom received.	FEE FOR WHAT PURPOSE PAID.					
				For forwarding an agreement to the Court under section 41.	For forwarding an Agreement under section 45.	For granting a certificate under section 46.			
				Rs.	a.	Rs.	a.	Rs.	a.
Monthly Total ...									

RULE PROVIDING FOR TIME WITHIN WHICH CERTIFICATES UNDER SECTION 46 OF THE ACT SHALL BE DEMANDED.

Notn. No. 8125, Judicial, dated 7th December 1880, B. G. G., 1880, Pt. I, p. 1072.

His Excellency the Governor in Council is pleased under the provisions of Section 49 (a) of the Dekkhan Agriculturists' Relief Act, 1879, to make the following Rule :—

When the right to claim a certificate under Section 46 accrues, the prescribed fee shall be paid and the certificate demanded within ten days from the accrual of such right, otherwise the Conciliator shall dismiss the application.

RULE REGARDING THE DELIVERY OF WRITTEN NOTICE REFERRED TO IN SECTION 44 OF THE ACT.

Notn. No. 5370, Judicial, dated 29th August 1882, B. G. G., 1882, Pt. I, p. 682.

The Governor in Council is pleased to make the following Rule under Section 49 (a) of the Dekkhan Agriculturists' Relief Act of 1879 :—

The delivery of the written notice referred to in Section 44 of the said Act shall be effected through the Subordinate Judge, to whom it should be sent for service by the Conciliator at the same time that he forwards the Agreement. The Subordinate Judge, immediately on receipt of the agreement and of the written notice, shall cause the latter to be duly served on the party named therein, and the date of such service shall be endorsed by the Subordinate Judge upon the agreement.

CHARGES TO BE LEVIED BY CONCILIATORS FROM APPLICANTS FOR SUMMONSES
ISSUED UNDER SECTION 40 OF THE ACT.

*Notn. No. 7095, Judicial, dated 8th October 1884, B. G. G., 1884,
Pt. I, p. 784.*

In exercise of the power conferred by Section 49 of the Dekkhan Agriculturists' Relief Act, 1879, the Governor in Council is pleased to direct that a charge at the following rates shall be levied by Conciliators from every applicant in consequence of whose application a summons is issued under Section 40 of the said Act, (namely):

if only one person be summoned...	two annas;
if two or more persons be summoned.	two annas for the first person and one anna for each of the other persons.

The said charge shall be levied by means of Court-fee labels, which shall be attached to the applications in respect of which the charges are respectively made and shall be cancelled by the Conciliators previous to the issue of summonses.

FIXING A DATE FOR THE AGRICULTURISTS TO RECEIVE OR DEMAND A STATE-
MENT OF THEIR ACCOUNT FROM THEIR CREDITORS, &c.

*Notn. No. 7058, Judicial, dated 22nd November 1879, B. G. G., 1879,
Pt. I, p. 934.*

Under Section 65 of the Dekkhan Agriculturists' Relief Act, 1879, His Excellency the Governor in Council is pleased to fix the day of the Dewali festival as the date on which agriculturists shall be entitled to receive or demand, from any person claiming money from them under an instrument, a statement of their account up to the said date.

RULE REQUIRING SUBORDINATE JUDGES TO SCRUTINIZE DOCUMENTS
RECEIVED FROM CONCILIATORS.

*Notn. No. 2730, Judicial, dated 30th April 1881, B. G. G., 1881,
Pt. I, p. 232.*

Under Section 76 of the Dekkhan Agriculturists' Relief Act, 1879, the right Honourable the Governor in Council is pleased to publish the following Rule:—

Immediately on receiving from a Conciliator a document purporting to be an agreement under Section 43. of the Dekkhan-Agriculturists' Relief Act, the Subordinate Judge shall scrutinize such document, and if he sees reason to think that it does not constitute a legal agreement or that it does not finally dispose of the matter in dispute, he may of his own motion summon the parties to such document on a day to be fixed before the expiry of the period mentioned in Section 44 of the said Act, and if after such enquiry as he may deem requisite he finds that the said document does not constitute an agreement within the meaning of Section 43, he shall return it to the Conciliator from whom he received the same, and such Conciliator shall thereupon be bound to furnish on demand to the parties or either of them a certificate under Section 46.